41

THE GENUINE PROTESTS OF THE LORDS, DURING THE LAST SESSION OF PARLIAMENT.

Amongst which is *That* relating to

BAMBRIDGE's AFFAIR.

Great Britain - Lords, H. 9

LONDON:

Printed by A. MOORE, and Sold by the Bookſellers of *London* and *Weſtminſter*, 1729. (Price 6 *d.*)

BRITISH MUSEUM

THE GENUINE PROTESTS OF THE LORDS.

Die 18° *Martii*, 1728.

THE Order of the Day being read, for taking into further Conſideration the State of the Nation,

It was moved to Reſolve, That it is the Opinion of this Houſe, that for the Honour of his Majeſty, and the Preſervation and Security of the Trade and Commerce of this Kingdom, effectual Care ſhould be taken in the preſent Treaty, that the King of Spain *do renounce all Claim and Pretenſions to* Gibraltar, *and the Iſland of* Minorca, *in plain and ſtrong Terms.*

After Debate

The Queſtion was put thereupon:
It was Reſolved in the Negative.

Diſſentient.

Diſſentient.

1*ſt.* Becauſe we think our Right, to a Place of ſuch Importance to our Commerce, ſhould be ſecured by more than general Stipulations, which may be liable to different Conſtructions, and will probably be interpreted by the *Spaniards* in their own Favour, however we may interpret them in ours.

2*d.* Becauſe the King of *Spain*, having claimed it by his Miniſters ſeveral times, not only from the late King's poſitive Promiſe, (as he aſſerts it to be) but of our Forfeiture of it too, by our Infractions of thoſe Conditions on which they gave it up to us: And having actually beſieged it, ſince he yielded it up to us by Treaty, it ſeems reaſonable to us that we ſhould inſiſt upon his making his Renunciation of it, in Words as plain and ſtrong as he has made his Claim to it, eſpecially ſince, as far as we have heard, our Plenipotentiaries have not been able to prevail upon him to ſhew any Inclination to relinquiſh his Pretenſions to it, during the long Courſe of theſe perplexed Negotiations; in which we have been unskilfully, (as we fear) and we are ſure we have been unfortunately, involved.

3*d.* We think it incumbent upon Us, to take particular Care that our Right to it ſhould not in the leaſt be precarious, becauſe we apprehend we have great reaſon to fear that the King of *Spain*'s Allies are very deſirous to have it again in his Hands; and no reaſon at all to believe that our own Allies are ſollicitous to have it continue in ours: If there ſhould be the leaſt room left, upon a Peace, for the King of *Spain*'s Pretenſions to it from any looſe or doubtful Expreſſions, We are apprehenſive it may lay a Foundation for Uneaſineſs and Animoſity, and might interrupt a perfect Harmony between us and a Nation whoſe Friendſhip muſt always be of the greateſt Advantage to us: We think our Zeal to preſerve our Title to it, in that moſt effectual manner we propoſed, would have terrified any wicked Miniſters, even from the Thoughts of giving it up, if ever we ſhould be in ſuch wretched Circumſtances as to have any, who might think a War more dangerous to themſelves than to the Nation; and who might for that Reaſon be tempted to purchaſe an inglorious Peace, at the high Price of ſo valuable a Part of the *Britiſh* Dominions.

Beaufort
Craven
Weſton, Earl of *Arran*
Gower
Willoughby de Broke
Mountjoy
Strafford
Boyle, Earl of *Orrery*
Berkſhire.

Bathurſt
Coventry
Plymouth
Litchfield
Abingdon
Scarſdale
Foley
Oxford and *Mortimer*

Die

Die Veneris 18° *Aprilis*, 1729.

THE Houſe, according to Order, proceeded to take into further Conſideration the State of the Nation.

And the Reſidue of the Papers (read in part Yeſterday) which were laid before this Houſe, as well in Relation to the Squadron of Ships ſent to the *Weſt-Indies*, as to the Depredations, &c. made by the *Spaniards* on his Majeſty's Subjects in *America*, being read,

It was propoſed to Reſolve, That it appears to this Houſe, that the Expence of the Squadron ſent to the Weſt-Indies *under the Command of Vice Admiral* Hoſier, *having been born by this Nation alone, tho' deſign'd to prevent the* Spaniards *from ſeizing the Effects belonging to his Majeſty's Allies, as well as his Subjects, which were on board the Flota or Galleons, and from applying the Treaſure to diſturb the Peace, and invade the Liberties of* Europe, *has been an unreaſonable Burthen upon this Kingdom.*

Content 27
Not Content 87 } *After Debate*

The Queſtion was put thereupon.
It was Reſolved in the Negative.

Diſſentient.

1*ſt*. Becauſe we conceive that our Allies were at leaſt as much concern'd as our ſelves, to prevent the *Spaniards* from diſturbing the Peace of *Europe*. If there was at that time ſufficient Foundation to apprehend ſuch Attempts on the part of *Spain*; and becauſe our Allies (the *French* in particular) had a much greater Share in the Effects of the Galleons, than the Subjects of this Nation, and by conſequence much more concerned, in Intereſt, to prevent the King of *Spain* from ſeizing thoſe Effects.

2*d*. Becauſe we not only took the whole Charge of this Expedition upon our ſelves, but have increaſed our National Forces, by taking great Numbers of Foreign Troops into our Pay, and contracted to pay divers Subſidies to Foreign Princes, when it has not appear'd to us in any authentick manner (as we apprehend) that our Allies have taken upon themſelves any Expence proportionable to this, in conſequence of the *Hanover* Treaty.

3*d*. Becauſe we are convinced that the National Expence and Loſſes, occaſioned by this Expedition, do not only very far exceed any Intereſt which the Subjects of this Nation can be ſuppos'd to have in the Galleons, but have likewiſe been much more conſiderable than any Detriment which has accrued to *Spain* by delaying the Return of the Galleons.

4*th*. That by taking this Expedition ſolely upon our ſelves, we drew the whole Reſentment of the Court of *Spain* upon this Nation, and gave the *French* an Opportunity of healing the Breaches which had been made between thoſe two Courts, of acquiring a greater Share than ever they had in a moſt beneficial Trade, and of acting rather the part of Mediators than that of Parties in the Diſputes.

5th. We cannot help being of Opinion that this Burthen was the more unreaſonable, ſince it does not appear that this Expedition has had the Effect of obliging the *Spaniards*, clearly, to adjuſt the Points in diſpute between us; or effectually to ſecure to our Merchants a juſt Satisfaction for the great Loſſes which they have ſuſtained by the Seizures and Captures made by the *Spaniards*.

Beaufort	*Mountjoy*
Scarſdale	*Plymouth*
Strafford	*Willoughby de Brooke*
Craven	*Oxford* and *Mortimer*
Foley	*Northampton*
Litchfield	*Coventry*
Gower	*Bathurſt*

Die Lunæ 5° Maii, 1729.

THE Judges (according to Order) delivered in a Bill prepared by them upon the Debate of the Houſe, Entitl'd, An Act to diſable *Thomas Bambridge*, Eſq; to Hold or Exerciſe the Office of Warden of the Priſon of the *Fleet*, and to impower his Majeſty, his Heirs and Succeſſors, during the Life of the ſaid *Bambridge*, to grant the ſaid Office to ſuch Perſon, or Perſons, as he ſhall think fit; and the ſame was read the firſt time. Then,

It being moved that the ſaid Bill be now read a ſecond time,
The ſame was objected to.

After Debate,

The Queſtion was put, Whether the ſaid Bill ſhall be now read a ſecond time,
It was Reſolved in the Affirmative.

Diſſentient.

1ſt. Becauſe the Reading any Bill twice the ſame Day is againſt the ſtanding Orders of this Houſe, which ought not to be broke but in Caſes of the utmoſt Neceſſity, and even in thoſe Caſes ought firſt to be conſider'd in a full Houſe, or elſe abſent Lords, as well as the Parties concerned in Bills, may be ſurprized.

2d. Becauſe we do not conceive there was the leaſt Neceſſity or Occaſion for Reading this Bill twice in one Day.

3d. Becauſe we are apprehenſive this may be brought as a Preſident hereafter, to proceed in too haſty a way to paſs Bills which diveſt Men of their Properties, and lay Incapacities upon them during Life.

Warrington	*Coventry*
Strafford	*Haverſham*

Die Sabbati 10° Maii, 1729.

UPON Report from the Committee of the whole Houſe, appointed to conſider of the Bill in relation to Corn and Grain imported, *&c.*

It was moved, That the Words following, in the Clauſe for appropriating the Supplies granted in this Seſſion of Parliament, be left out of the ſaid Bill, *viz.* " and

" And it is alſo hereby further Enacted, That out of all, or any, " the Aids or Supplies aforeſaid, there ſhall, and may be, iſſued and " applied, for, and upon, Account of the Arrears of the ſeveral Duties " and Revenues granted to his Majeſty, by an Act made and paſſed in " the firſt Year of his Majeſty's Reign (Entitled, *An Act for the better* " *Support of his Majeſty's Houſhold, and of the Honour and Dignity of the* " *Crown of* Great-Britain, any Sum, or Sums of Money, not exceed- " ing the Sum of 115,000 *l.* in ſuch Manner, and for ſuch Uſes and " Purpoſes, as his Majeſty ſhall from Time to Time be pleaſed to direct " and appoint.

Provided always, and be it Enacted, by the Authority aforeſaid, That in Caſe there ſhall be ſtanding out, or in Arrear, at the Demiſe of his Majeſty, (whom God long preſerve) any Sum or Sums of Money, for, or on Account of the ſaid Duties and Revenues, which, together with what hath been, or ſhall be, received out of the ſame, during his Majeſty's Life; and, together with the ſaid Sum of 115,000 *l.* ſhall be more than ſufficient to compleat and ſatisfy to his Majeſty, during his Life, the yearly Sum of 800,000 *l.* *per Annum*, in clear Money, to be computed from the 25th Day of *June*, 1727. then, and in ſuch Caſe, the ſaid Sum of 115,000 *l.* ſhall be replaced and refunded by, or out of ſuch Sum or Sums of Money ſo ſtanding out, or in Arrears, as aforeſaid, as ſhall be more than ſufficient to compleat the ſaid yearly Sum of 800,000 *l.* in clear Money, to be computed as aforeſaid; or ſo much thereof, as the Monies ariſing thereby ſhall extend to ſatisfy the ſame; and that the Monies ſo to be replaced or refunded, ſhall be ſeparated and kept apart in his Majeſty's Exchequer, for the Uſe and Benefit of the Publick, and ſhall not be iſſued or applied to any other Uſe, or Uſes, than ſuch as ſhall be directed by Authority of Parliament.

Which being objected to,

The Queſtion was put, Whether thoſe Words ſhall ſtand Part of the Bill?

It was reſolved in the Affirmative.

Diſſentient.

1. Becauſe we apprehend, that this part of the Clauſe is neither founded on the Words of the Act to which it refers, nor warranted by any Conſtruction thereof; for the Proviſion made in that Act is, that whenever the Produce of the ſeveral Duties and Revenues thereby granted, appears to be ſo deficient, that within any one Year it ſhall not be ſufficient to anſwer and ſatisfy the Sum of 800,000 *l.* then, and not in any other Caſe, ſuch Deficiency is to be made good out of the next Aids of Parliament. As this Act therefore provides only for a real Deficiency of the Produce, and not for any Arrear in the Receipt within the Year, as it has appear'd by the Accounts laid before this Houſe, that the real Produce was conſiderably more than ſufficient to anſwer the Sum of 800,000 *l.* We think there can be no Colour to affirm that there has been any ſuch Deficiency as the Act can be ſuppoſed to provide for. This appears from the Words of the Clauſe which directs the Application of the Sum of 115,000 *l.* for, and upon Account of Arrears; and we cannot conceive the Arrears provided for by this Clauſe, and the Deficiency deſcribed in the Act, to be one and the ſame Thing. Since, if they could be ſo underſtood, the Proviſion in the Clauſe would have been made agreeable to the Words of the Act, which relate to a Deficiency only; and it would be highly unjuſt to his Majeſty, to direct the Sum of 115,000 *l.* to be refunded to the Publick at any Time, or under any Conditions: For if there had been a real Deficiency, the Grant to his Majeſty ſhould be abſolute, and the Sum of 115,000 *l.* would legally belong to him; ſo that this Clauſe either takes from his Majeſty what we have no Right to take, or it gives him, which, as we apprehend, he has no Right to claim: As we cannot then conſider this Sum to be

given,

given, either for a real Deficiency founded on the Civil Liſt Act, or that it can be warranted by the ſaid Act as a ſuppoſed Arrear: We conceive it to be as a new Grant to his Majeſty, and a new Burthen on the People, which does not appear to us to have been demanded by the Crown; and conſequently, not to have paſſed according to the Forms hitherto practiſed and requiſite in all ſuch Caſes.

2. This Clauſe appears to us unreaſonable on many Accounts, as there was no real Deficiency at *Midſummer*, 1728. to which Time the Account is ſtated, ſo neither is there any Arrear at the Time, when this new Supply is granted; but the whole Sum of 800,000 *l* and conſiderably more was come into his Majeſty's Coffers, and he was conſequently in Poſſeſſion of the very Money, the ſuppoſed Arrear of which, is made good to him by this Clauſe. Thus it ſeems to us, that the Nation is loaded, not to compleat, but to augment the Sum deſigned for his Majeſty's Civil Liſt, and this at a Time when the publick Debts are increaſed, when the Taxes are heavily felt in all Parts of the Country, when our foreign Trade is incumbred and diminiſhed, when our Manufactures decay, when our Poor daily multiply, and when many other national Calamities ſurround us; theſe Conſiderations are in themſelves very moving, and we apprehend that they muſt appear ſtronger, when it ſhall be further conſidered that his Majeſty would be ſo far from wanting any of theſe extraordinary Supplies, that even without the Proviſion in the Civil Liſt Act for making good Deficiencies, he wou'd be poſſeſs'd of a far greater Revenue than K. *William*, Q. *Ann*, or even his late Majeſty enjoyed; and yet his preſent Majeſty then Prince of *Wales*, receiv'd out of the Civil Liſt Revenues, during the Reign of the late King 100,000 *l*. *per Annum*, beſides the entire Revenues of the Principality of *Wales*, and Dutchy of *Cornwall*, whereas it does not appear to us that the like Sum of 100,000 *l*. *per Annum*, or even the Revenues of the Principality of *Wales*, have yet been ſettled on his preſent Royal Highneſs.

3. We cannot but be extreamly apprehenſive of the many ill Conſequences which may follow from a Grant of Money to the Crown, ſo ill grounded, and ſo unreaſonable as we conceive this to be. The Advantage in Favour of his Majeſty, eſtabliſhed by the Civil Liſt Act, is very great, ſince if the Produce of the Revenues granted and appropriated to the Uſe of the Civil Liſt does not anſwer the yearly Sum of 800,000 *l*. the Deficiency is to be made good to his Majeſty by the Publick, whereas no Proviſion is made by which, if the Produce of thoſe Revenues exceeds the Sum of 800,000 *l*. the Surplus ſhall accrue to the Benefit of the Publick. By this Precedent, not only real Deficiencies are to be made good, but Supplies are to be given for Arrears ſtanding out at the End of every Year, and not only for Arrears ſtanding out, but even for Arrears which ſhall come in before the Supplies can be granted, tho' the Supply given to make good Arrears in one Year, will certainly increaſe the Surpluſages in another; when we conſider the Method which has obtained of anticipating the Revenues, before they come into the Exchequer, contrary to the antient and legal Practice; when we reflect in what Manner theſe Accounts have been made up, and in what Manner they have been brought in, we cannot but apprehend that a Door is opened by this Precedent for laying new and exceſſive Charges on the Nation; the Revenues appropriated to the Uſes of his Majeſty's Civil Liſt, are ſubject in their own Nature to vary, and even when there is no Deficiency in the Produce, there may be Arrears in the Receipt. Theſe Arrears may eaſily be increaſed by the Management of deſigning Miniſters, by private Directions to Receivers, and by artful Methods of ſtating the Accounts; from all which, we cannot but apprehend, that now this Precedent is made, we have frequent Accounts of Arrears, and a grievous, and even intolerable Load may be brought on the Nation in a ſhort Time;

Time; and we are perſuaded that his Majeſty can have no Satisfaction in finding his Court abound in Wealth, whilſt he may undergo the Mortification of ſeeing his People reduced to Poverty; neither can we conceive that the latter Part of the Clauſe is in any Degree an adequate Proviſion againſt the Evil we complain of, or the Apprehenſions we entertain; for an Account to be made up at his Majeſty's Demiſe, will not prevent the Conſequences of this Precedent during his Life; and as we hope that his Reign will be long, ſo we may be allowed to fear, that even during the Continuance of it, this extraordinary Method of increaſing his Majeſty's private Revenue (already very ample) may prove a Source of general Diſcontent, which is but too apt to produce general Diſaffection.

Plymouth	*Boyle*	*Scarſdale*
Willoughby de Brooke	*Northampton*	*Mountjoy*
Gower	*Strafford*	*Oxford and Mortimer*
Warrington	*Litchfield*	*Bathurſt*
Coventry	*Beaufort*	

Die Lune 12°. *Maii* 1729.

H*Odie tertia vice lecta eſt Billa*, Entituled, An Act to Aſcertain the Cuſtom payable for Corn and Grain imported, for better aſcertaining the Price and Quantity of Corn and Grain, for which a bounty is payable upon Exportation, for appropriating the Supplies granted in this Seſſion of Parliament; and for giving further time to Clerks and Apprentices, to pay Duties omitted to to be paid for their Indentures and Contracts.

The Queſtion was put, whether this Bill ſhall paſs?
It was reſolved in the Affirmative.

Diſſentient.

1*ſt*. Becauſe we conceive there will accrue leſs Detriment to the Publick, by rejecting this whole Bill, than agreeing to it with that part of the Appropriation Clauſe, which enacts the ſum of 115,000 *l*. to be given to his Majeſty, for, and upon Account of Arrears in his Civil Liſt, ſince it would have been eaſy, had this Bill been rejected, to have provided for the General Appropriation of the ſeveral Aids granted in this Seſſion of Parliament, in ſome other Manner.

2*dly*. Becauſe the Revenue for defraying the Expences of His Majeſty's Civil Government, being conſiderably more ample than that of any of his Predeceſſors. We flatter'd ourſelves that the Publick would not have been called upon again in ſo ſhort a time, to make an Addition to that liberal Proviſion for the Crown, tho' there had been ſome ſmall deficiency in ſome of the Duties appropriated to the Service of it: But this in Our Opinion, is ſo far from being the Caſe, that we are firmly perſwaded, if we had agreed to this Bill, with that part of the Clauſe, We ſhould have conſented to a Grant of a new Aid, and not to make good the Deficiency of an old one; ſince it ſeems evident to us, that the Produce of the Civil Liſt Funds in the firſt Year of His Majeſty's Reign, rather exceeded than fell ſhort of 800,000 *l*. even from thoſe Accounts deliver'd into the Houſe, which we believe will be univerſally allow'd to be free from any ſuſpicion of Error, in Favour of the People.

3*dly*.

3*dly*. Becauſe we look upon this to be not only a Grant of a new Aid, but a Grant made in ſuch an irregular manner, without being demanded by the Crown, that it cannot but give Us ſome Reaſon to think, that however it may be wanted by the Miniſters, it may poſſibly not be deſired by his Majeſty.

4*thly*. Becauſe the literal Interpretation of part of the Act for ſettling the Civil Liſt Revenues on his Majeſty, which was contended for in order to juſtify that part of this Clauſe, to which we object, ſeems to us liable to Conſequences very dangerous to the Properties of all the Subjects, by putting it into the Power of thoſe who have the Management of the Publick Money, to give the Crown a Title to the Arrears of the Civil Liſt Funds; tho' perhaps left on purpoſe in the Hands of the Receivers, and to a Parliamentary Supply for thoſe very Arrears too.

5*thly*. Becauſe the Argument which was uſed for paſſing the Clauſe from the ſmallneſs of the Sum, ſeems to Us a much ſtronger Reaſon why it ſhould not be asked, than why it ſhould be granted.

6*thly*. Becauſe we obſerve, that whenever a Supply for the Civil Liſt has been ask'd in Parliament, it has caus'd great Uneaſineſs in the Nation, tho' demanded from the Crown itſelf; and upon Pretences in our Opinion more juſtifiable, and at times leſs unſeaſonable than this; when, notwithſtanding our moſt prevailing Methods of Negotiation, the Fate of Europe, as far as we are enabled to judge, is ſtill in ſuſpenſe, and we labour under Difficulties that unavoidably attend ſuch a doubtful, and undetermined Situation of Our Affairs Abroad, when the Complaints of the People at Home are general and loud, and as we fear, too well founded on Account of their Poverty and other Calamities, with which they have been long afflicted, and when for that Reaſon it appears, to Us to be not only a proper Clemency, but true Policy too, to avoid giving them the leaſt Ground to apprehend, that the Parliament by laying unneceſſary Burthens upon them, may itſelf become one of their Grievances.

7*thly*. Becauſe this Attempt, when we conſider it in all its Circumſtances, as far as appears to us, is without Example, and we dread leſt it ſhould be made one, and laid hold of as a Precedent hereafter, if ever the Nation ſhould have the Misfortune to ſee a laviſh, Weak and Rapacious Miniſtry, armed with great Power, deſirous to raiſe ſuch extraordinary Supplies in Parliament, in ſuch extraordinary ways, more in reality to ſupport their own inconſiderate, and pernicious Schemes, than the Honour and Dignity of the Crown.

Scarſdale.
Boyle.
Gower.
Northampton.
Oxford and *Mortimer*,
Willoughby de Brooke.
Litchfield.

BRITISH MUSEUM 6 AU 85

Strafford.
Warrington.
Bathurſt,
Beaufort.
Plymouth.
Montjoy.
Coventry.

F I N I S.